

§ 49.10-15

33 CFR Ch. I (7-1-99 Edition)

(7) That the Commandant deems it to be in the best interest of the incompetent.

(b) In the event of termination of payments under paragraphs (a)(2), (4), (5), or (7) of this section, the Commandant may, if deemed appropriate, appoint a successor trustee or trustees. The successor trustee or trustees, so appointed, shall comply with the provisions of the regulations and instructions in this part issued thereunder, and do all acts in the manner required of the original trustee or trustees.

§ 49.10-15 Final accounting by trustee.

The trustee or trustees, when payments, hereunder are terminated, shall file a final account with the said Commandant. Thereupon, the trustee or trustees will be discharged and the surety released. In event of death or disability of the trustee, the final accounting will be filed by his legal representative.

Subpart 49.15—Additional Instructions

§ 49.15-1 Implementing instructions.

The Commandant is hereby authorized to issue such instructions not in conflict with the regulations in this part as may be necessary from time to time to give full force and effect thereto.

PART 50—COAST GUARD RETIRING REVIEW BOARD

Sec.

50.1 Establishment and duties of Board.

50.2 Composition of Board.

50.3 Request for review.

50.4 Presentation of case.

50.5 Action by the Board.

50.6 Notification of final action.

AUTHORITY: Sec. 8, 18 Stat. 127, as amended, sec. 302, 58 Stat. 287, as amended; 14 U.S.C. 92, 38 U.S.C. 693i.

NOTE: For the text of waivers of navigation and vessel inspection laws and regulations, see Part 19 of this chapter.

§ 50.1 Establishment and duties of Board.

(a) A Retiring Review Board, referred to in this part as the Board, is hereby established in the Coast Guard.

(b) It will be the duty of the Board to review, at the request of any Coast Guard officer retired or released to inactive service, without pay, for physical disability, pursuant to the decision of a retiring board, the findings and decision of the retiring board. The term "retired or released to inactive service" includes every kind of separation from the service.

(c) After reviewing the findings and decision of a retiring board the Board will affirm or reverse, in whole or in part, the findings and decision of the retiring board.

(d) In carrying out its duties the Board shall have the same powers as exercised by, or vested in, the retiring board whose findings and decision are being reviewed.

[10 FR 5650, May 17, 1945]

§ 50.2 Composition of Board.

(a) The Board will be composed of five commissioned officers designated for each case from a panel appointed by the Commandant. The senior Coast Guard members of the panel will designate the members of the Board for each case, three of whom shall be officers of the Coast Guard and two of whom shall be officers of the Public Health Service.

(b) The senior Coast Guard member of the Board will be President and the junior Coast Guard member will be Recorder.

(c) The Board will convene at the time and place designated by the President for each case, and will recess and adjourn at his order.

[10 FR 5650, May 17, 1945. Redesignated at 13 FR 7303, Nov. 30, 1948, as amended by CGFR 53-12, 18 FR 2953, May 22, 1953]

§ 50.3 Request for review.

(a) Any officer of the Coast Guard who is retired or released to inactive service, without pay, for a physical disability, pursuant to the decision of a Coast Guard retiring board, may request a review of the findings and decision of the retiring board.

(b) An application requesting a review must be in writing and shall be addressed to the Retiring Review Board, Coast Guard Headquarters,